

Rec'd PCT/PTO 2.0 AUG 2004

Declaration, Power of Attorney and Petition

10/505146

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0000053273

Customer No.

We (I), the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

2-(2-PYRIDYL)-5-PHENYL-6-AMINOPYRIMIDINES, THEIR
PREPARATION AND INTERMEDIATES THEREIN AND USE THEREOF
IN THE CONTROL OF HARMFUL FUNGI

the specification of which

☐ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and amended on _____

☒ was filed as PCT international application

Number _____

on _____,

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
10207428.3	Germany	21 February 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10210136.1	Germany	08 March 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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We (I) hereby claim the benefit under Title 35, United States Codes, § 119(e) of any United States provisional application(s) listed below.

_____	_____
(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____

And we (I) hereby appoint ROTHWELL, FIGG, ERNST & MANBECK, 1425 K Street, NW, Suite 800, Washington, D.C. 20005 Telephone: (202)783-6040, Telefax: (202)783-6031, our attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to sign the drawings, to receive the patent, and to transact all business in the Patent Office connected therewith.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1-00

Frank Schieweck
NAME OF SOLE OR FIRST INVENTOR

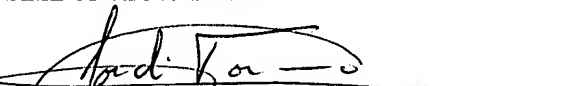

Signature of Inventor

Date 20. Feb. 2003

Residence:
Lindenweg 4
67258 Heßheim
Germany DEX
Citizen of Germany
Post Office Address: same as residence

2-00

Jordi Tormo i Blasco
NAME OF SECOND JOINT INVENTOR

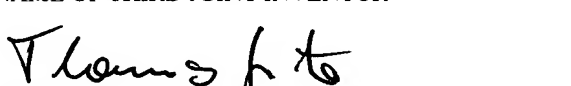

Signature of Inventor

Date 20. Feb. 2003

Residence:
Mühlweg 47
67117 Limburgerhof
Germany DEX
Citizen of Spain
Post Office Address: same as residence

3-00

Thomas Grote
NAME OF THIRD JOINT INVENTOR



Signature of Inventor

Date 20. Feb. 2003

Residence:
Im Hoehenhausen 18
67157 Wachenheim
Germany DEX
Citizen of Germany
Post Office Address: same as residence

4-00

Andreas Gypser
NAME OF FOURTH JOINT INVENTOR


Signature of Inventor

Date 20. Feb. 2003

Residence:
B 4 4
68159 Mannheim
Germany DEX
Citizen of Germany
Post Office Address: same as residence

5-00

Bernd Müller
NAME OF FIFTH JOINT INVENTOR


Signature of Inventor

Date 20. Feb. 2003

Residence:
Stockingerstr.7
67227 Frankenthal
Germany DEX
Citizen of Germany
Post Office Address: same as residence

6-00

Joachim Rheinheimer

NAME OF SIXTH JOINT INVENTOR

Joachim Rheinheimer

Signature of Inventor

Date 20. Feb. 2003

Residence:

Merziger Str.24

67063 Ludwigshafen

Germany DEX

Citizen of Germany

Post Office Address: same as residence

7-00

Ingo Rose

NAME OF SEVENTH JOINT INVENTOR

Ingo Rose

Signature of Inventor

Date 20. Feb. 2003

Residence:

C 2, 19

68159 Mannheim

Germany DEX

Citizen of Germany

Post Office Address: same as residence

8-00

Peter Schäfer

NAME OF EIGHTH JOINT INVENTOR

Peter Schäfer

Signature of Inventor

Date 20. Feb. 2003

Residence:

Römerstr.1

67308 Ottersheim

Germany DEX

Citizen of Germany

Post Office Address: same as residence

9-00

Wassilios Grammenos

NAME OF NINTH JOINT INVENTOR

Wassilios Grammenos

Signature of Inventor

Date

Residence:

Samuel Hahnemann Weg 9

67071 Ludwigshafen

Germany DEX

Citizen of Greece

Post Office Address: same as residence

10-00

Markus Gewehr

NAME OF TENTH JOINT INVENTOR

Markus Gewehr

Signature of Inventor

Date 20. Feb. 2003

Residence:

Goethestraße 21

56288 Kastellaun

Germany DEX

Citizen of Germany

Post Office Address: same as residence

11-00

Anja Schwöglar

NAME OF ELEVENTH JOINT INVENTOR

Anja Schwöglar
Signature of Inventor

Date 20. Feb. 2003

Residence:

Heinrich-Lanz-Str. 3

68165 Mannheim

Germany DEX

Citizen of Germany

Post Office Address: same as residence

12-00

Carsten Blettner

NAME OF TWELFTH JOINT INVENTOR

Carsten Blettner
Signature of Inventor

Date 20. Feb. 2003

Residence:

An der Mittagsweide 59

67065 Ludwigshafen

Germany DEX

Citizen of Germany

Post Office Address: same as residence

13-00

Eberhard Ammermann

NAME OF THIRTEENTH JOINT INVENTOR

Eberhard Ammermann
Signature of Inventor

Date 20. Feb. 2003

Residence:

Von-Gagern-Str.2

64646 Heppenheim

Germany DEX

Citizen of Germany

Post Office Address: same as residence

14-00

Siegfried Strathmann

NAME OF FOURTEENTH JOINT INVENTOR

Siegfried Strathmann
Signature of Inventor

Date 20. Feb. 2003

Residence:

Donnersbergstr.9

67117 Limburgerhof

Germany DEX

Citizen of Germany

Post Office Address: same as residence

15-00

Gisela Lorenz

NAME OF FIFTEENTH JOINT INVENTOR

Gisela Lorenz
Signature of Inventor

Date 20. Feb. 2003

Residence:

Erlenweg 13

67434 Hambach

Germany DEX

Citizen of Germany

Post Office Address: same as residence

16.00

Reinhard Stierl

NAME OF SIXTEENTH JOINT INVENTOR



Signature of Inventor

Date

20. Feb. 2003

Residence:

Ginsterstr.17

67112 Mutterstadt

Germany

DEX

Citizen of Germany

Post Office Address: same as residence